

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ASAD GILANI,

Plaintiff,

Case: 7:20-CV-1785-CS-PED

Judge: Cathy Siebel

Magistrate Judge: Paul Davison

-against-

TENEO, INC *et al.*

Defendants.
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**PLAINTIFFS' OBJECTIONS TO MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION - REQUEST FOR ADMISSION**

Under Rule 72.3(b) of the Rules of this Court, Plaintiffs respectfully submit the following objections to certain of the Magistrate Judge's Allowing Defendants to file response to Request for Admission four days late Report and Recommendation, issued on October 8, 2020. Plaintiffs objects Defendants has missed the Court Dates three times in this case and RFA endorsement should be denied.

Objections to Magistrate Judge's Report and Recommendation ("R&R") of October 8, 2020

Under Rule 72.3(b) of the Rules of this Court, any party may serve and file objections to the proposed findings and recommendations of the Magistrate Judge. Local Rule 72.3(b) in particular states that failure to file timely objections "shall constitute a waiver of subsequent review," absent a showing of good cause. The Rule further states that the objecting party "shall specifically identify the portions of the proposed findings, recommendations, or report to which objection is made and the basis for such objections." Local Rule, this Court must make a de novo determination of those portions of the report to which objection is made. Plaintiffs thus submit these detailed objections to preserve matters for this Court's review as well and for subsequent review.

Plaintiffs thus submit objections to preserve matters for this Court's review as well and for subsequent review.

Defendants ignoring the Court filing Dates as Pattern

- (1) Defendant Piers Carey never filed the response of Plaintiff's Original Amended Complaint on April 1, 2020.
- (2) Plaintiff Asad Gilani filed a default Judgement against Piers Carry on April 2nd, 2020 which was denied
- (3) . On Initial Conference Call Judge Sibel told Defendants Consul Mr. Campsen on Call on May 14, 2020 should not miss any court Dates.

- (4) . Defendant Consul Mr. Campsen submitted the Discovery Plan with Dates to the court with the Discovery Dates for Judge's signature.
- (5) The Request for Admission were due on September 2, 2020 and the response according to the law was due on October 1, 2020.
- (6) Defendants also missed the response of Plaintiff's Interrogatories, and Productions of documents for a week. Judge allowed the extension.

As explained below, Plaintiffs' respectfully object to the following

Defendants failed to file the response until October 5, 2020 – three days late.

There was no excuse Defendants fail to file the response as they have access to the ECF.

For reasons outlined above, and as required by Rule 72.3(b) of the Rules of this Court,

Plaintiffs Objections the Magistrate Judge's Report & Recommendation. be granted.

and Plaintiff's RFA to be admitted by Court

Respectfully,

Dated: October 15, 2020

/s/ Asad Gilani

Asad Gilani

Pro Se

661 Bedford Road Armonk, NY 10504 –
786

AFFADAVIT OF SERVICE

I Plaintiff Asad Gilani filed Plaintiff's Objection to Magistrate Judge's R&R Motion of Reconsideration on October 15, 2020 via Send via Pro Se Office

[Temporary Pro Se Filing@nysd.uscourts.gov](mailto:Temporary_Pro_Se_Filing@nysd.uscourts.gov).

/s/ Asad Gilani

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